

United States District Court

EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION

AUDREY NEWSOME

V.

COLLIN COUNTY COMMUNITY
COLLEGE DISTRICT, ET AL.

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CASE NO. 4:04CV265
(Judge Schell/ Judge Bush)

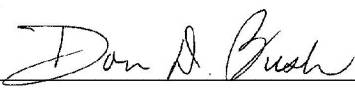
ORDER

Defendant Collin County Community College District ("CCCCD") has filed a Motion to Strike Plaintiff's Expert Witnesses (Docket #75). Federal Rule of Civil Procedure 26(a)(2) mandates that an expert witness submit a written report containing a complete statement of all opinions to be expressed and the bases and reasons therefore, the data or other information considered by the witness in forming the opinions, and the exhibits to be used.

CCCCD objects to the five sentence report of Dr. Donald S. Chandler. The report is deficient. However, Plaintiff has since supplemented the designation with a Mental Health Evaluation Report. Historically, the practice in this district has been to cut some slack to "medical" witnesses. This would include qualified psychologists. Plaintiff did not argue that Dr. Chandler is also a treating practitioner, which might exempt him from submitting an expert report. Nevertheless, the Court finds that his report is sufficient for purposes of the rule. Plaintiff's counsel is directed to furnish CCCCCD with a detailed time summary of the time spent on the case with all expenses and the customary hourly rate sought.

IT IS THEREFORE ORDERED that CCCCCD's motion is DENIED.

SIGNED this 23rd day of June, 2005.



DON D. BUSH
UNITED STATES MAGISTRATE JUDGE

